

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

ANNMARIE MALLOZZI, INDIVIDUALLY AND
ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,

CASE No.: 07-CV-10321 (GBD)

Plaintiff,

CLASS ACTION

vs.

CLERKS' CERTIFICATE

INDUSTRIAL ENTERPRISES OF AMERICA, INC.;
JOHN MAZZUTO; JORGE YEPES; DENNIS O'NEILL;
and JAMES MARGULIES,

Defendants.

-x

I, J. MICHAEL MCMAHON, Clerk of the United States District Court for the Southern District of New York, do hereby certify that this action commenced on November 14, 2007 (Docket no. 1) with the filing of a summons and complaint, a copy of the summons and complaint was served on defendant Industrial Enterprises of America, Inc. (“Defendant”), by personal service on a person of suitable age at this corporate Defendant’s principal executive offices, and proof of such service thereof was filed on November 20, 2007 (Docket no. 2).

I further certify that the docket entries indicate that Defendant has not filed an answer or otherwise moved with respect to the complaint herein. The default of the defendant is hereby noted.

DATED: New York, New York

Dec 5, 2007

**J. MICHAEL MCMAHON
Clerk of the Court**

By: